

## Department of Energy

## § 820.2

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#### APPENDIX A TO PART 820—GENERAL STATEMENT OF ENFORCEMENT POLICY

AUTHORITY: 42 U.S.C. 2201, 2282(a), 7191; 28 U.S.C. 2461 note.

SOURCE: 58 FR 43692, Aug. 17, 1993, unless otherwise noted.

## Subpart A—General

### § 820.1 Purpose and scope.

(a) *Scope.* This part sets forth the procedures to govern the conduct of

persons involved in DOE nuclear activities and, in particular, to achieve compliance with the DOE Nuclear Safety Requirements by all persons subject to those requirements.

(b) *Questions not addressed by these rules.* Questions that are not addressed in this part shall be resolved at the discretion of the DOE Official.

(c) *Exclusion.* Activities and facilities covered under E.O. 12344, 42 U.S.C. 7158 note, pertaining to Naval nuclear propulsion are excluded from the requirements of subparts D and E of this part regarding interpretations and exemptions related to this part. The Deputy Assistance Secretary for Naval Reactors or his designee will be responsible for formulating, issuing, and maintaining appropriate records of interpretations and exemptions for these facilities and activities.

### § 820.2 Definitions.

(a) The following definitions apply to this part:

*Act* or *AEA* means the Atomic Energy Act of 1954, as amended.

*Administrative Law Judge* means an Administrative Law Judge appointed under 5 U.S.C. 3105.

*Consent Agreement* means any written document, signed by the Director and a person, containing stipulations or conclusions of fact or law and a remedy acceptable to both the Director and the person.

*Contractor* means any person under contract (or its subcontractors or suppliers) with the Department of Energy with the responsibility to perform activities or to supply services or products that are subject to DOE Nuclear Safety Requirements.

*Department* means the United States Department of Energy or any predecessor agency.

*Director* means the DOE Official to whom the Secretary has assigned the authority to issue Notices of Violation under subpart B of this part, including the Director of Enforcement, or his designee. With regard to activities and facilities covered under E.O. 12344, 42 U.S.C. 7158 note, pertaining to Naval nuclear propulsion, the Director shall mean the Deputy Assistant Secretary for Naval Reactors or his designee.